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S. RES. 91

Calling on the Consumer Product Safety Commission, the Secretary of the Treasury, and the Secretary of Housing and Urban Development to take action on issues relating to drywall imported from China.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2009

Mr. NELSON of Florida (for himself and Ms. LANDRIEU) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation

RESOLUTION

Calling on the Consumer Product Safety Commission, the Secretary of the Treasury, and the Secretary of Housing and Urban Development to take action on issues relating to drywall imported from China.

Whereas, between 2006 and late 2007, more than 550,000,000 pounds of drywall and associated building materials were imported from China to the United States;

Whereas not less than 300,000,000 pounds of drywall were imported from China to the State of Florida, enough to build approximately 36,000 homes;

Whereas not less than 60,000,000 pounds of drywall were imported from China to the State of Louisiana, enough to build approximately 7,000 homes;

Whereas media reports indicate that drywall imported from China was also used in homes in no fewer than 10 other States, including Georgia, Mississippi, North Carolina, South Carolina, Texas, and Virginia;

Whereas testing by officials of the State of Florida found that drywall imported from China contains potentially hazardous levels of strontium sulfide, which, when exposed to moisture and humidity, can release hydrogen sulfide into the air;

Whereas emissions from drywall imported from China have caused substantial safety hazards in homes containing such drywall, including corrosion in electrical wiring, which can result in a fire hazard, failure of air conditioning units, and the failure of other household electrical products; and

Whereas preliminary testing shows that the drywall may also be responsible for certain health hazards: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) the Consumer Product Safety Commission
3 should—

4 (A) initiate a formal proceeding to investigate drywall imported from China during the
5 period from 2004 through 2007;
6

1 (B) prohibit the further importation of
2 drywall and associated building products from
3 China;

4 (C) order a recall of hazardous Chinese
5 drywall; and

6 (D) use its existing authority under the
7 Consumer Product Safety Improvement Act of
8 2008 (Public Law 110–314; 122 Stat. 3016)
9 and the Federal Hazardous Substances Act (15
10 U.S.C. 1261 et seq.) to seek civil penalties
11 against the drywall manufacturers in China
12 that produced or distributed hazardous drywall
13 and their subsidiaries in the United States to
14 cover the cost of the recall effort and other as-
15 sociated remediation efforts; and

16 (2) the Secretary of the Treasury and the Sec-
17 retary of Housing and Urban Development should—

18 (A) use all available measures, including
19 civil forfeiture authority, to ensure that the
20 costs of homeowner assistance efforts are borne
21 by the drywall manufacturers in China that
22 produced or distributed hazardous drywall and
23 their subsidiaries in the United States and not
24 by the taxpayers of the United States; and

1 (B) develop meaningful Federal tax incen-
2 tives to help offset the expense of costly drywall
3 repairs for struggling homeowners already suf-
4 fering from depressed home values and negative
5 economic conditions.

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